


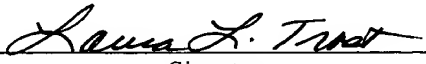


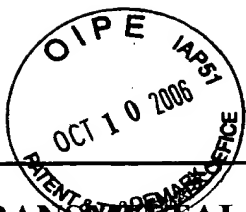
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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/282,239	
	Filing Date	March 31, 1999	
	First Named Inventor	Steven A. Goldman	
	Group Art Unit	1652	
	Examiner Name	Richard G. Hutson	
Total Number of Pages in This Submission	3	Attorney Docket Number	19603/4230 (CRF D-2238-04)

ENCLOSURES (check all that apply)		
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Edwin V. Merkel Nixon Peabody LLP Clinton Square, P.O. Box 31051 Rochester, New York 14603-1051 Telephone: (585) 263-1128 Fax: (585) 263-1600
Signature	 Registration No. 40,087
Date	October 6, 2006

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PATENT  
Docket No.: 19603/4230 (CRF D-2238-04)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants	:	Goldman et al.	)	Examiner:
			)	R. Hutson
Serial No.	:	09/282,239	)	
			)	Art Unit:
Cnfrm. No.	:	8339	)	1652
			)	
Filed	:	March 31, 1999	)	
			)	
For	:	A METHOD FOR ISOLATING AND	)	
		PURIFYING OLIGODENDROCYTES AND	)	
		OLIGODENDROCYTE PROGENITOR CELLS	)	

RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF

**Mail Stop Appeal Brief - Patents**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notification of Non-Compliant Appeal Brief (37 C.F.R. § 41.37), dated September 6, 2006, applicants hereby submit a revised summary of the claimed subject matter as required by 37 C.F.R. § 41.37(c)(1)(v), as follows:

**V. SUMMARY OF CLAIMED SUBJECT MATTER**

Claim 25 is directed to an enriched or purified preparation of human mitotic oligodendrocyte-specified progenitor cells, where the mitotic oligodendrocyte-specified progenitor cells are from a post-natal human and a human cyclic nucleotide phosphodiesterase 2 promoter is transcriptionally active in all cells of the enriched or purified preparation (U.S. Patent Application Serial No. 09/282,239 ("the '239 Application") p. 14, line 24 to p. 15, line 2; p. 22, lines 6-17; and originally-filed claim 17).


Claim 26 is directed to an enriched or purified preparation of human mitotic oligodendrocyte progenitor cells, where the mitotic oligodendrocyte

progenitor cells are from an adult human and a human cyclic nucleotide phosphodiesterase 2 promoter is transcriptionally active in all cells of the enriched or purified preparation (the '239 Application p. 14, line 24 to p. 15, line 2 and p. 22, lines 6-17).

Claim 29 is directed to an enriched or purified preparation of human mitotic oligodendrocyte-specified progenitor cells, where a human cyclic nucleotide phosphodiesterase 2 promoter is transcriptionally active in all cells of the enriched or purified preparation (the '239 Application p. 14, line 24 to p. 15, line 2 and p. 22, lines 6-17).

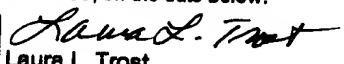
Respectfully submitted,

Date: October 6, 2006



Michael L. Goldman  
Registration No. 30,727

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Clinton Square, P.O. Box 31051  
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